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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,817	03/31/2004	Gunter Lipka	22886	5286
535	7590	06/08/2005	EXAMINER	
THE FIRM OF KARL F ROSS 5676 RIVERDALE AVENUE PO BOX 900 RIVERDALE (BRONX), NY 10471-0900			NGUYEN, HOANG V	
			ART UNIT	PAPER NUMBER
			2821	

DATE MAILED: 06/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/814,817	LIPKA ET AL.	
	Examiner	Art Unit	
	Hoang V. Nguyen	2821	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13-15 is/are allowed.
- 6) ☒ Claim(s) 1,2 and 5 is/are rejected.
- 7) ☒ Claim(s) 3,4 and 6-12 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/31/04 &amp; 8/26/04</u> . | 6) <input type="checkbox"/> Other: ____.  |

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Schlegel, Jr. et al (US 6,054,955).

Regarding claim 1, Schlegel (Figures 4 and 5) discloses an antenna comprising a monopole formed by a rigid circuit board 44 having a conductive trace 46; means including a socket for connecting a coaxial cable 38 to the monopole; and a ground plane 42 formed of rigid sheet metal or a circuit board and fixed to the monopole.

Regarding claim 2, as applied to claim 1, Figure 4 of Schlegel shows that the monopole and the ground plane are permanently bonded together.

Regarding claim 5, as applied to claim 1, Figure 4 of Schlegel shows that both the ground plane 42 and monopole 46 are substantially planar and extend generally perpendicular to each other.

***Allowable Subject Matter***

3. Claims 3, 4 and 6-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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4. Claims 13-15 are allowed.

5. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claims 3 and 4, Schlegel fails to specifically teach, among other features, that the ground plane is formed with an edge flange.

Regarding claims 6-8, Schlegel fails to specifically teach, among other features, that the socket includes jaws crimpable to the coaxial cable.

Regarding claim 9, Schlegel fails to further teach, among other features, a splitter having a pair of inputs connectable via respective coaxial cables to two such monopoles and an output connectable to a receiver.

Regarding claim 10, Schlegel fails to further teach, among other features, a splitter having a pair of outputs connectable via respective coaxial cables to two such monopoles and an input connectable to a transmitter.

Regarding claims 11 and 12, Schlegel fails to further teach, among other features, a splitter having a printed circuit board and two sockets connectable via respective coaxial cables to two such monopoles and another socket connectable to a transmitter or receiver.

Regarding claim 13, Schlegel discloses an antenna comprising a monopole formed by a rigid circuit board having a conductive trace; means including a socket for connecting a coaxial cable to the monopole; and a ground plane and extending generally perpendicular to the monopole. Schlegel, however, fails to specifically teach that the ground plane formed of rigid sheet metal and having an edge flange fixed to the monopole.

Claims 14 and 15 are allowed for depending on claim 13.

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*Conclusion*


6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 2003/0201939 A1 discloses an antenna comprising a monopole disposed perpendicular to a ground plane.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoang V. Nguyen whose telephone number is (571) 272-1825. The examiner can normally be reached on Mondays-Fridays from 9:00 a.m. to 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoang Nguyen can be reached on (571) 272-1825. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hvn  
6/6/05



HOANG V. NGUYEN  
PRIMARY EXAMINER